



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/788,466	03/01/2004	Steven Louis Shafer	31167-2023

33721  
TORYS LLP  
79 WELLINGTON ST. WEST  
SUITE 3000  
TORONTO, ON M5K 1N2  
CANADA

DUE DATE  
PROCESSED

DUE JUL 20/04

CONFIRMATION NO. 9229

FORMALITIES LETTER

\*OC000000012731254\*

Date Mailed: 05/20/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$85 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - Numbers, letters, and reference characters on the drawings must measure at least 0.32 cm (1/8 inch) in height. See Figure(s) 6-11, 14-18.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- \$65 Late oath or declaration Surcharge.

07/22/2004 AMONDAF1 00000082 10788466

01 FC:2051

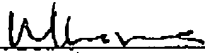
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Replies should be mailed to: Mail Stop Missing Parts  
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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

JUL-20-2004 17:19

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**BEST AVAILABLE COPY**

Date July 20, 2004 Ref: 31167-2023/100840  
From Dolly Kao Direct Tel 416.865.7694  
Page(s) 121 (including this cover page)

Recipient	Fax Number	Tel Number
OIPE - Customer Service MAIL STOP MISSING PARTS	1-703-746-4060	

**Comments** These pages are being hand delivered with other papers, including a covering letter addressed to the Official Draftsperson. In the event that the hand delivered copy is incomplete, we are hereby faxing the documents which we believe might be missing. These documents are:

Cover letter to USPTO  
Declaration;  
Original Specification;  
Fee Transmittal form;  
Credit Card form;  
Revised Drawings; and  
Notice to File Missing Parts

\*\*\*\*\*

**Certificate of Transmission**  
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent And Trademark Office, fax number 1-703-746-4060, on July 20, 2004.

*Dolly Kao*  
Dolly Kao, Registration Number 44,451

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**TORYS LLP**

File No. 31167-2023

**UNITED STATES**

**Title: OPIOID DELIVERY SYSTEM**

**Inventor: SHAFER, Steve Louis; HUNG, Orlando Ricardo; PLIURA, Diana  
Helen**

**BEST AVAILABLE COPY****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Steven Louis SHAFER et al.	Art Unit:	1614
Appl. No.:	10/788,466	Examiner:	Unassigned
Filed:	March 1, 2004	Docket No.:	31167-2023
Title:	OPIOID DELIVERY SYSTEM		

July 20, 2004

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**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION  
FILED UNDER 37 C.F.R. 1.53(b) - FILING DATE GRANTED**

Sir:

This is in response to the NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION FILED UNDER 37 C.F.R. 1.53(b) - FILING DATE  
GRANTED dated May 20, 2004 (copy enclosed).

Please find enclosed a properly signed Declaration as executed by the inventors, Steven  
Louis SHAFER, Orlando Ricardo HUNG and Diana Helen PLIURA. Also, enclosed is a Fee  
Transmittal form for payment of the \$65.00 surcharge for late filing of the Declaration. Please  
charge any fee deficiency or credit any overpayment to Deposit Account No. 50-2651.

Please amend the application as follows:



Approved for use through 07/31/2006. OMB 0851-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 65.00)

## Complete if Known

Application Number 10/788,466  
Filing Date March 1, 2004  
First Named Inventor Stephen Louis SHAFER et al.  
Examiner Name  
Art Unit  
Attorney Docket No. 31167-2023

## METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number 502651

Deposit Account Name Torys LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue Independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	65.00
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,620	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to Institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 65.00)

## SUBMITTED BY

Name (Print/Type) Dolly Kao  
Signature *Dolly Kao*  
Registration No. (Attorney/Agent) 44,451  
Telephone 416.865.7694  
Date July 20, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.